

SEP 19 2007

RCE
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PTO/SB/30 (08-00)

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REQUEST
FOR
**CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
Provides for continued examination of an utility or plant application
filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	10/767,899
Filing Date	January 28, 2004
First Named Inventor	Jan Berka
Group Art Unit / Conf. No.	1637 / 6163
Examiner Name	David C. Thomas
Attorney Docket Number	21465-508

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 377 C.F.R. § 1.114

- a. Previously submitted
- i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on August 10, 2007.
(Any unentered amendment(s) referred to above will be entered.)
 - ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
 - iii. A verified statement claiming small entity status is on file in the prior application and such status is still proper and desired (37 C.F.R. § 1.28(a)).
 - iv. Information Disclosure Statement (IDS) previously filed on _____.
(Any unentered IDS(s) referred to above will be considered.)
- b. Enclosed
- i. Amendment and Response to Accompanying Request for Continued Examination (RCE)
 - ii. Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Other: Copy of PTO Form 1449 previously filed on _____
 - v. Other: _____

Miscellaneous

- a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. Other _____.

3. Fees The RCE fee under C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. The Director is hereby authorized to charge any additional fees, or credit any overpayments, to Deposit Account No. 50-0311, Reference No. 21465-508, Customer No.: 35437.
- i. RCE fee required under 37 C.F.R. § 1.17(e)
 - ii. Extension of time fee for two months (37 C.F.R. §§ 1.136 and 1.17).
- b. Check in the amount of \$790.00 is enclosed for RCE fee.
- Check in the amount of \$450.00 is enclosed for extension fee.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Michelle A. Iwamoto	Registration No. (Attorney/Agent)	55,296
Signature	<i>Michelle A. Iwamoto</i>	Date	September 19, 2007

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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